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Committee on the Elimination of Discrimination
Against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States Parties

FRANCE

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1. France ratified the Convention on the Elimination of All Forms of Discrimination Against Women on 14 December 1983.

2. At the date of entry into force of the Convention on 13 January 1984, most of the measures which States parties undertake to introduce for the purpose of its implementation had already been adopted and put into practice in France.

3. In recent years, the French Government has continued its efforts to introduce new provisions in internal legislation designed to eliminate any forms of discrimination against women which might still exist.

At the same time it has developed a policy for the promotion of women's rights.

In the future, it expects to continue the work so far accomplished both at national and international level.

4. In accordance with the requirements of article 18 of the Convention, this report will refer to the legislative, judicial and administrative measures adopted in France which enable the provisions of the Convention to be given effect. Progress made in this context within the last five years will be particularly underlined.

PART ONE

GENERAL PROVISIONS

5. The principles of equality and non-discrimination enunciated are explicitly guaranteed by the French Constitution of 4 October 1958 which reproduces the preamble of the Constitution of 19 October 1946: "The law guarantees women rights equal to those of men in all fields".

6. Domestic legislation establishes the equality of men and women in all areas of political, economic and social life.

7. In addition, France is party to those international agreements which provide for the elimination of any sexual discrimination in the enjoyment of rights and freedoms recognized by these conventions, notably:

- The International Covenant on Economic and Social Rights of 16 December 1966;

- The International Covenant on Civil and Political Rights of 16 December 1966;

- The Convention for Protection of Human Rights and Fundamental Freedoms of 4 November 1950 in the framework of the Council of Europe.

- Protocol No. 7 to the Convention for Protection of Human Rights and Fundamental Freedoms mentioned above.

France has also recognized the competence of the "organs" instituted by the second and third above-mentioned instruments to deal with complaints submitted by citizens who consider they are victims of violations of the rights thus guaranteed.

8. Furthermore, more than 10 years ago, the public authorities established an administrative structure to ensure the full development and progress of women's rights. A Secretariat of State responsible for the status of women was set up in July 1984, and then in September 1976 a national delegation for the status of women and a Secretariat of State for Women's Employment. The Ministry of Women's Rights set up in 1981 was allocated a larger budget of its own in order to develop its programme.

In 1986, a delegation for the status of women replaced the Ministry for Women's Rights. This delegation works in close co-operation with the different ministerial departments concerned and in particular with the Ministry of Social Affairs and Employment (to which the functions of the former Ministry for Women's Rights were transferred).

PART TWO

POLITICAL RIGHTS

(Articles 7 to 9)

7 (a)

9. Women enjoy equal voting rights with men, without any discrimination, in all elections and the right to stand for election to all publicly elected bodies.

The order of 21 April 1944 by the provisional Government headed by General de Gaulle concerning the organization of the public authorities in France after the liberation of the national territory states: "Women are entitled to vote and stand for election on the same terms as men".

The Constitution of 4 October 1958 states that all adults of French nationality of both sexes enjoying civil and political rights are entitled to vote.

10. Furthermore, Organic Law No. 83-1096 of 20 December 1983 repealed article 10-128 of the Electoral Code.

This article, which concerned the election of members of the parliamentary assemblies (deputies and senators) and the President (under paragraph II of article 3 of law No. 62-1292 of 6 November 1962 as amended) provided that women who had acquired French nationality through marriage were only eligible after a period of ten years had elapsed starting from the date at which no objection could any longer be raised to their acquisition of French nationality. That text reflected the situation at a time when only women could acquire French nationality by marriage.

As, since then, men have become able to acquire French nationality by this means, the result was that article LO-128 took on a discriminatory character vis-à-vis women, since men were not explicitly envisaged in paragraph 2 of that article.

The elimination of article LO-128 removed this discrimination since, subsequently, men and women acquiring French nationality, by whatever means, have been immediately eligible for election as deputy, senator or President of the Republic.

This law of 20 December 1983 enabled the French Government on 22 March 1984 to withdraw its reservation to article 7 of the Convention which it had entered when depositing its instruments of ratification.

7 (b) and (c)

11. Women enjoy on equal terms with men the right to hold any public office and perform all public functions at all levels of government, and the right to participate in non-governmental organizations and associations concerned with public and political life.

12. Three examples will serve to illustrate this:

(a) The Council of Ministers:

The current Government includes four women. Women head the following ministries:

- Delegate Ministry within the Ministry of Social Affairs and Employment responsible for health and the family;

- State Secretariat for the French Language in the Office of the Prime Minister;

- State Secretariat for Education within the Ministry of National Education;

- State Secretariat for Vocational Training within the Ministry of National Education.

(b) The Economic and Social Council:

Of 230 members, 22 women currently participate in the work of the Economic and Social Council. The role they can play there is fundamental: this body may be consulted by the Government on any problem of an economic and social nature of concern to the French Republic. Any plan or draft law for an economic or social programme is also submitted to it for its consideration (cf. annex I: six comparative tables).

(c) Access to the civil service:

13. The general regulations for civil servants, established in 1946, introduce the principle of non-discrimination between the sexes at work for the first time in France.

The first amendment to the general regulations for civil servants of 1946, occurred in 1975, to restrict the possibilities of derogation to recruitment for certain sections of the civil service fixed by decree following a consultation procedure. Law No. 82-380 of 7 May 1982 further restricted the scope for derogation to those cases where belonging to one or the other sex is an essential requirement for the exercise of the functions involved. Law No. 083-634 of 13 July 1983 concerning the rights and obligations of public servants reaffirms the principle of non-discrimination and restates the specific provisions of the 1982 law: All sections of the civil service are now open to women and to men.

A circular of 24 January 1983 issued jointly by the Ministry of Women's Rights and the Secretariat of State for the Civil Service concerning equality between men and women and their employment without discrimination in the civil service makes recommendations to departments in three areas (annex IV):

- Recruitment: announcements of competitions must contain feminine and masculine designations; selection boards must be mixed;

- Training: priority is given to training in new technologies and to staff in categories C and D, where women are in the majority. Courses must be organized as near as possible to the usual place of work of staff;

- Promotion: women's candidatures must be sought and encouraged. Selection criteria must be diversified.

In addition, specific measures have been taken in various sections of the civil service, such as the army and the police, in order to increase recruitment of women. More specifically in the navy, an experiment using female personnel on large warships is being conducted for a period of five years (1983-1988).

Since the enactment of Decree No. 85-841 of 26 August 1985 and Decree No. 87-54 of 2 February 1987, which eliminated, respectively, the section of the comptrollers, inquiring officials and customs supervisors and that of the

teachers on the establishment, for which separate recruitment for men and women may be allowed under article 21 of Law No. 84-16 of 11 January 1984, only seven sections are continuing, in their recruitment practices, to fail to observe the principle of the equality of the sexes.

Women are, therefore, gradually moving into the entire range of civil service jobs. For example, whereas in 1976 women accounted for 48.6 per cent of the total civil service personnel of the French Government, the figure in 1984 was 50.8 per cent.

A few significant examples might be mentioned in this connection:

The police. In the active categories of the national police force, considering the characteristics of these positions, the percentage of jobs reserved for female recruitment is certainly still limited, but is steadily increasing. In 1986, female employment had risen to 30 per cent for the post of police commissioners, 25 per cent for inspectors and more than 15 per cent for uniformed policemen, while for officers there was an increase from 8 per cent in 1984 to 13 per cent.

The magistrature. Forty years after this branch was opened to women, they account for 2,257 of a total of 5,989 magistrates. In 1981, for the first time, a women was appointed First President of the Supreme Court of Appeal. The penetration of women into this branch is accelerating for the reason that among the recent graduates of the National College of Magistrates, women outnumbered men.

Article 8

14. Women, on equal terms with men and without any discrimination, have the possibility of representing the French Government at international level and participating in the work of international organizations (cf. annex II).

Article 9

15. Women have equal rights with men with respect to matters of nationality.

Law No. 73-42 of 9 January 1973 which completes and amends the French Nationality Code provides equality for men and women as regards the acquisition, loss or retention of French nationality.

16. Law No. 84-341 of 7 May 1984 eliminated a final instance of discrimination between the sexes with regard to the automatic extension of loss of French nationality to the wife of a French national who behaves as a foreign national.

Neither marriage with a foreigner nor change of nationality of the husband during the marriage automatically changes the nationality of the wife.

17. Women enjoy the same rights as men with respect to the nationality of their children, whether born within or outside the marriage.

Law No. 73-42 of 9 January 1973, in this connection, abolished inequalities between father and mother in the transmission of French nationality. On the one hand there is no longer any distinction between paternal filiation and maternal filiation, and on the other between legitimate filiation and natural filiation.

18. In short, the promotion of equal rights between men and women from the point of view of nationality or their participation in political life has been guaranteed in France.

PART THREE

ECONOMIC AND SOCIAL RIGHTS

(Articles 10 to 14)

Article 10 (concerning education)

19. In France, education programmes, at each level of education, are available to children without any distinction between the sexes. This education is certified by the issue of State diplomas at appropriate levels of studies.

20. With regard to textbooks, the competent authorities have tried gradually to influence their content, with a view to excluding sexist stereotypes.

21. Nevertheless, difficulties in the professional integration of girls remain:

In order to combat unemployment among women, which remains higher than the national average, to improve their vocational training and to enable them to raise their qualifications in all technological specialities, several series of measures have been taken.

22. Educational orientation

It has been noted that girls generally stay at school longer than boys, that they repeat less and that they have a better success rate than boys, but that they are mostly oriented towards some 30 careers while for boys the figure is almost 300 (currently only 16 per cent of students in engineering schools are women).

A national information campaign has therefore been undertaken on career guidance and vocational training for girls which was launched in April 1984 in the media with the theme "Jobs have no sex: at school, all directions for all"; this campaign made many parents and teachers aware of the importance for girls of a sound professional development adapted to the modern world.

In the follow-up to this campaign, on 20 December 1984, an agreement was signed between the Ministry of Women's Rights and the Ministry of Education on equal opportunities for girls and boys and on career guidance for girls, with the object of training staff in the education service and improving the facilities for girls in educational establishments.

A new agreement was concluded in 1985 to diversify training for girls.

A scientific and technical vocation scholarship for women was established to allow 50 female pupils in the top form of the lycée in studying scientific or technical subjects to receive a grant of 40,000 francs to enable them to follow higher education courses in engineering or research.

23. Vocational training for working women

Innovative pilot schemes, organized in the field of new technologies have benefited more than 10,000 women. These schemes have been multiplied thanks to the conclusion of planning contracts between the State and the regions.

Upgrading courses organized to allow women to obtain training in the electronics field were developed in 1986.

A specific training programme for the most disadvantaged women (single women, with no resources or receiving a single parent allowance) has been initiated and will be strengthened.

Article 11 (employment and family life)

Article 11.1: the field of employment

24. The principle of equality is rooted in the Declaration of the Rights of Man and of the Citizen of 1789 (cf. article 6: "All citizens are equally eligible for all offices, positions and public functions, according to their capacity and without any other distinction than those relating to their qualities and talents"), and more explicitly in the preamble to the Constitution of 27 October 1946 quoted above.

Moreover, France has ratified most international legal instruments on this subject, particularly in the context of the European Economic Community (annex III) and the International Labour Organisation.

25. There is a body solely responsible for matters affecting female workers:

This is the Higher Council for Professional Equality (Conseil supérieur de l'égalité professionnelle), which replaced, in 1984, the Committee on Women's Work in the Ministry of Labour. The Council is presided over by the Minister of Social Affairs and Employment and includes representatives from all departments concerned, social partners and qualified persons. A biennial report on the progress of professional equality and the actions of the various bodies concerned will be submitted to it. It will be mandatory for any text in respect of professional equality to be brought to its attention.

Under article R.331-1 of the Labour Code (Decree 84-136 of 22 February 1984, annexed), the Higher Council for Professional Equality must also have submitted to it texts concerning special working conditions specific to one of the sexes.

26. Equality of remuneration between men and women

The principle of equality of remuneration is contained in the Labour Code (article L. 140.2 and following) under Law 72-1145 of 22 December 1972. This principle has been complemented by the legal definition of work of equal value (Law 83-635 of 13 July 1983).

A general minimum wage is guaranteed to both men and women.

In the civil service, the principle of equal remuneration is guaranteed by the principles of career development and a single remuneration structure.

Equality in respect of appointment and dismissal

(a) The public sector

27. This matter has been dealt with in item 13 of this report.

28. Law No. 82-380 of 7 May 1982 requires the Government, every two years, to produce a report listing the measures adopted to guarantee equality at all levels of the civil service hierarchy and submit it to Parliament. The Law provides that the Government must review departures from the principle of equality in the light of the report's conclusions.

Thus, since the 1982 reform, the Higher Council for the Civil Service, a consultative body with equality of representation attached to the Prime Minister, every second year receives a report on the relative situation of men and women in the civil service and discusses it. This report, together with the opinion of the Council on it, is communicated to the Presidents of the National Assembly and the Senate.

Also from that date, one of the members of the Higher Council for the Civil Service has been selected on the recommendation of the Ministry of Women's Rights.

In December 1986, the Higher Council for the Civil Service considered the second two-year report to the Parliament on measures taken in the State civil service to ensure application of the principle of equality of the sexes.

(b) The private sector

29. Law No. 75-625 of 11 July 1975, article 11, prohibits discrimination in employment based on sex or family situation.

Article 11 of Law No. 75-635 of 11 July 1975 introduces into the Criminal Code article 416, which prohibits discrimination and provides for penal sanctions. Thus: "Any person who in the exercise of his profession or duties employs, on his own behalf or on behalf of another, one or more employees and who, without legitimate cause, refuses to employ or dismisses a person by reason of his origin, sex, family situation or membership or non-membership of a particular ethnic group, nation, race or religion or makes an offer of employment conditional on origin, sex, family situation or membership or non-membership of a particular ethnic group, nation, race or religion... shall be liable to a term of imprisonment of from two months to one year and a fine of from 2,000 francs to 20,000 francs, or to one of these two penalties."

30. Since 1981, professional equality has been the central theme of government action in the field of women's rights and has been notably consolidated in Law No. 83-653 dated 13 July 1983 amending the Labour Code in matters relating to professional equality between women and men (annex V).

The dual objective of this Law is to achieve, firstly, equality of rights and, secondly, equality of opportunity between men and women in professional life.

Equality of rights

31. The Law reinforces the prohibition of all discrimination on the grounds of sex or family situation in all the circumstances of professional activity: offers of employment, engaging of personnel, wages and salaries, promotion, breaches of employment contracts.

Any clause included in a collective labour agreement, collective settlement or work contract reserving the benefit of any measure to one or more employees on grounds of sex (except with regard to maternity) is void.

Thus, a provision embodied in the text of Law No. 85-772 of 25 July 1985 comprising various provisions of a social nature supplemented the laws of 1975 and 1983 by creating new grounds for charges of sex discrimination. In this way, the legislators raised this type of discrimination to be on a par with racial or religious discrimination.

Henceforth, any sex discrimination is punishable by imprisonment or fine:

- Whether it is committed by a private person or an official in the exercise of his functions;

- Whether it is committed against a physical person or a legal entity, by reason of the sex of its members or of some of them;

- Whether an economic activity is made more difficult, or the supply of goods or services is refused.

The law of 25 July 1985 in addition extends the possibility granted in 1983 to trade unions to institute a civil action, also to associations in existence for five years having under their articles the purpose of combating sex discrimination. These latter associations may under these circumstances bring complaints concerning discrimination in labour relations before tribunals as regards refusal to hire, dismissal and offer of employment.

32. It establishes a mechanism for the monitoring of the new regulations and related sanctions:

- Obligatory posting of texts relating to professional equality at work places.

- A woman employee who brings a legal action against her employer on the grounds of discrimination is protected against dismissal. Dismissal of such an employee is null and void if the only ground is the legal action. Reinstatement of the female employee is a legal entitlement.

- Representative trade union organizations may institute any legal proceedings related to discrimination in place of a woman employee of the enterprise, provided that she does not object.

- The court may postpone the passing of sentence, in a case of discrimination on the grounds of sex or family situation, and require the employer, after consultation with employees' representatives, to define measures to restore professional equality in the enterprise. In the light of the measures proposed or already taken, the court decides whether the penalty should be waived or whether the penalties of imprisonment or fine laid down by law should be imposed.

Equality of opportunity

33. The Law of 1983 contains very precise provisions designed to allow the most flagrant inequalities affecting women on the labour market to be remedied. The novelty of the system lies in the possibility for enterprises to conclude directly with the Ministry of Women's Rights contracts which partly finance "plans for professional equality", negotiated with employees' representative organizations.

Measures of a regulatory nature or in the context of national collective agreements may also be taken in the area of access to employment, training, promotion, the organization of work or working conditions.

34. This law provides that the employer must submit an annual report to the Enterprise Committee (in enterprises normally employing 50 wage-earners or more). This report must comprise:

- An analysis, giving figures, of the comparative situation of women and men in the enterprise (hiring, training, skills, classification, working conditions, pay);

- Targets for the year to come (qualitative and quantitative with estimates of costs);

- Reasons why action planned could not be carried out.

Other measures

35. Complementing these general texts, it is appropriate to note the existence of more specific measures which constitute remedial means in favour of women in their professional life, notably the following:

- The Law of 10 July 1979, by instituting partial exemption from employers' social security contributions, encourages the employment of certain unemployed women who for less than ten years have been unremarried widows, unremarried divorced, legally separated, or single women with at least one dependent child or receiving single parent allowances);

- When they are absolutely obliged to work, single women with a dependent child and widows have priority access to vocational training;

- The age-limits for recruitment by competitive examination of civil servants in category A are extended to 46 for women raising a child or having raised at least one child;

- All public offices are open without age-limit to mothers of three or more children and divorced or legally separated, as well as single women with at least one dependent child who are obliged to work.

- There is no diploma requirement for mothers of three children wishing to sit examinations for access to jobs in the public sector.

Article 11.2: professional and family life

36. The Law of 11 July 1975 provides that a woman does not have to reveal that she is pregnant when she is appointed, that an employer cannot refuse to employ a woman because of her pregnancy and that moreover, he must not seek information on this matter by any means whatsoever.

The Law also provides that, upon presentation of a medical certificate, a pregnant woman can ask for temporary reassignment on the grounds of her pregnancy.

37. With regard to dismissal, this Law lays down that the employer cannot, on the grounds of pregnancy, revoke a woman employee's contract, even during her trial period, when the employee is pregnant or during the 14 weeks following the birth.

38. Single women with family responsibilities can benefit, in the same way as couples, from the advantages connected with the birth of a child.

39. Law No. 76-617 of 9 July 1976 introduces a single-parent allowance guaranteeing a certain monthly income to single parents (widows or widowers, divorced, abandoned or unmarried persons) responsible for a family, who have no resources. The allowance is paid for one year or until the third birthday of the youngest child.

40. With regard to crèches, the number of places increased from 45,000 to 65,000 between 1975 and 1980. Since 1981, 30,000 additional places have been created: efforts have been concentrated on both collective crèches and other more flexible types such as parental child-minding centres, mini-crèches and family crèches.

41. In addition, the Government has recently taken two steps enabling women who are mothers to reconcile their professional activities with their family life.

- The law of 29 December 1986 established a home child-care allowance paid, whatever the number of children of less than three in the household, to parents who wish to have their children minded in their home. This measure, which represents an assumption of the employee's social contributions up to 2,000 francs a month, increases the means for child care, in line with parents' wishes;

- The finance law for 1987 provides for a doubling of the tax deduction for child-care expenditures from 5,000 francs to 10,000 francs a year per child aged under five.

Parental leave

42. The Law of 12 July 1977 gives women the right to interrupt their employment for two years after the birth of a child with the guarantee of returning to their employment at the end of this period.

The Law of 4 January 1984 improved the system of parental leave by extending it to both the father and the mother. Previously, the father could only exercise this right if the mother expressly renounced her claim to it. It is now left to the parties concerned to choose between total suspension of work and reduction of work to part-time. This right is available in cases of both birth and adoption.

In addition, Law No. 86-1307 of 29 December 1986 concerning the family increased the length of parental leave to three years and enlarged the range of beneficiaries of the parental education allowance paid to the parent taking the leave (or reducing his or her work) by requiring only two years of work in the ten years preceding applications for this allowance.

Part-time work

43. Women can benefit like men from part-time legislation concerning the public sector and the private sector (order No. 82-271 of 26 March 1982 for the private sector; order No. 82-196 of 31 March 1982 for the public sector; Law No. 84-16 of 11 January 1984; order No. 86-948 of 11 August 1986).

In 1985, 21.8 per cent of working women had part-time work (they accounted for only 15.3 per cent in 1978).

Article 12 (concerning health)

44. Since 1975, a number of texts have been adopted to improve family planning and facilitate the setting up of family planning centres:

- The Decree (No. 75-135) of 5 May 1975 implements certain provisions of the Laws of 1967 and of 4 December 1974 relating to birth control;

- The Decree (No. 75-316) of 5 May 1975 deals with the implementation of these laws in the field of mother and child protection;

- The Decree (No. 75-317) of 5 May 1975 amends articles concerning public health which regulate the medical prescription of contraceptives.

All these texts organize information on birth control and are designed to make family and sex education a reality for everyone.

45. Various organizations under the auspices of the public authorities are responsible for providing information:

- The Higher Council for Information on Sexuality, Birth Control and Family Education;

- The French Committee for Health Education;

- The National Centre for Information on Women's Rights.

Information is made available to women by:

- Information, consultation and family counselling centres (EICCFs);

- Family planning or education centres;

- The centres for information on women's rights.

46. Law No. 79-1204 of 31 December 1979 reconfirmed the main provisions of Law No. 75-17 of 17 January 1975 relating to voluntary interruption of pregnancy: any French woman, having reached her majority, who believes herself to be placed in a situation of distress as a result of her pregnancy has been able since then to request that her pregnancy should be terminated without risking prosecution.

The Law of 31 December 1982 provides for reimbursement for this medical operation. The available facilities have been developed:

Decree No. 82-826 of 27 September 1982 has extended the obligation to carry out voluntary interruptions of pregnancy to all public establishments equipped with a surgical or maternity service, whereas Decree No. 80-285 of 17 April 1980 had covered only regional and general hospitals. It also provides for the simultaneous development of family planning activities within these establishments, which must seek approval as family planning or education centres.

47. Maternity leave has been increased to 16 weeks (Law of 12 July 1978).

For the birth of a third child, maternity leave is 26 weeks (Law of 17 July 1980). Lastly, the Law of 9 July 1976 established a paid adoption leave of eight weeks; this was extended to ten weeks in 1978 and to 18 weeks in 1980 when the number of dependent children reaches or exceeds three.

In the case of death of the mother during birth of the child, Law No. 85-10 of 3 January 1985 permits the father to take advantage of the maternity leave with all the attendant guarantees.

48. In addition, since establishment by Decree No. 77-663 of 27 June 1977 of the replacement allowance compensating for expenditure in respect of replacement by the women farmers' maternity leave, the terms of length of the compensation have been increased up to 56 days as of March 1986.

In addition, Law No. 82-587 of 10 July 1982 made available to all self-employed women and spouses of self-employed workers the possibility of taking paid maternity leave by creating a lump-sum allowance for rest of the mother, supplemented by a lump-sum replacement allowance for a maximum duration of 28 days.

Article 13 (family benefits; the right to loans and the right to participate in cultural life)

49. Since 1980, new measures have helped to improve the situation of women in a social context. Thus:

- Law No. 82-596 of 10 July 1982 relating to wives of artisans and retailers working in the family business detailed and extended the professional and social rights of these women; they can now choose between three statuses: collaborator, associate or employee of the husband, head of the business. This also applies to women exercising a liberal profession, and to the wife of a member of a liberal profession when she is his assistant. It may be added that, when the woman is the employee of her husband, she enjoys all the social rights of all employees.

- Law No. 80-546 of 17 July 1980 introduced insurance for widows, which guarantees a minimum of resources to the employed spouse of an insured employee.

- This Law was supplemented by Law No. 87-59 of 27 January 1987 embodying various provisions of a social nature;

- The rate of reversionary pensions has been increased both in the public and private sectors.

- The Law of 22 December 1984 relating to the intervention of the organizations paying family allowances in the recovery of unpaid maintenance gave authority to the Family Allowance Offices to recover maintenance on behalf of their beneficiaries. These organizations even pay a "family support allowance" to single parents before there is any recovery.

- Article 3 of the Law of 25 July 1985 containing various provisions of a social nature made it the responsibility of the party initiating divorce to pay the contribution for personal insurance of the spouse divorced for the breaking up of the marriage.

Article 14 (concerning the rural environment)

50. France takes account of the particular problems faced by rural women and takes appropriate measures in order to ensure that men and women participate on a basis of equality in rural development and its advantages.

51. The progress of rural zones has markedly increased since Law No. 82-214 of 2 March 1982 which recognized that the regions had a pre-eminent role in the field of rural development.

This development depends on:

- The Ministry of Agriculture;

- The Delegation of Territorial Development (DATAR);

- The regional assemblies elected under the Law on Decentralization (Law No. 82.8 of 7 January 1983).

52. The farmers' Mutual Aid Association includes all rural women whatever their socio-occupational category.

It has a health and social aid budget directed towards information and training activities for rural women.

53. Where co-operatives organize training programmes for their members, special days are set aside for women. Certain specific experiments have brought innovations in training:

- The trade union organizations and the consular chambers also organize training programmes for their members, in particular within the framework of the many women's commissions that exist within their departmental structure.

- The Commission on the Status of Women has financed experimental training activities that are new in terms both of their organizational methods and of the kind of training provided (technical and informational) for the wives of merchants and craftsmen and for women agricultural workers in several regions of France.

- Women farmers form groups and conclude contracts with driving schools in order to learn to drive;

- Inter-occupational activities take place for the exchange of legal information on the status and rights of women in general.

Following the Agricultural Orientation Law, Law No. 80-502 of 4 July 1980, the rights of farming women have been reinforced. Women participating in an agricultural undertaking can, in particular, attend the general assemblies of co-operative, mutual or agricultural credit organizations and be elected to the boards of directors or supervisory boards of such organizations. Any contrary clause in the statutes of these organizations is deemed to be void.

54. Women who are heads of farming undertakings have the right to apply for agricultural loans, and can receive young-farmer allotments when they set themselves up.

PART FOUR

CIVIL RIGHTS

(Articles 15 and 16)

55. With regard to civil rights, equality between men and women can be considered to be ensured.

56. The Decree of 20 March 1985 (amended on 26 June 1986), modifying the Decree of 16 May 1974, which established the Family Booklet ["livret de familie"] models, recalls that:

"Marriage has no effect on the name of the husband and wife, who continue to have, as their sole official name, the name recorded on their birth certificate. Nevertheless, if he or she desires, either of the spouses may, in daily life, use the name of the other spouse, either by adding it to his or her own name or, in the wife's case, by substituting it for her own."

57. Furthermore, Law No. 85-1372 of 23 December 1985 "regarding the equality of the spouses in marriage and of parents in the administration of the property of minor children" eliminates the remaining discriminations which might have continued to exist to the detriment of women in family property law (annex VI).

Any preponderance of the husband is eliminated in the legal régime of joint estate limited to property acquired after marriage: in future, wives, in the same way as husbands, will be able to administer and dispose of common property alone, the consent of both spouses remaining a requirement only for certain acts of a serious nature (acts of alienation or constitution of real rights on buildings, businesses and undertakings coming under the joint estate, and the conclusion of rural or commercial leases on common property).

Moreover, while in a legitimate family it would seem that hitherto the father was the legal administrator of minor children's property, in future the two parents will jointly exercise this function.

Consequently, the French Government has withdrawn the reservation to articles 15, paragraphs 2 and 3, and 16, paragraph 1 (c) and (h), which it entered when depositing its instruments of ratification. It has done the same for the reservation to article 16 1 (d) with regard to joint administration of children's property by the father and the mother when they jointly exercise parental authority. The withdrawal of these reservations took effect on 21 July 1986.

Finally, in accordance with article 43 of this same law, the second parent's name, i.e., in most cases the mother's name, may, at the express request of the parties concerned, be recorded on the national identity card and the passport under the entry "Name used", on a line other than that used for the surname.

Similarly, pursuant to the Prime Minister's administrative memorandum of 26 June 1986, under this entry for the "Name used" one may inscribe the name of the husband or, if the woman has been authorized to continue using it, of a former husband, without the need to accompany it with the word "wife" or "divorced" or the phrase "authorized to use the name of ...".

A single provision is maintained in favour of the father of children, the transmission of his surname.

58. Furthermore, Parliament, on 18 December 1985, adopted draft legislation authorizing the ratification of Protocol No. 7 to the European Convention for Protection of Human Rights and Fundamental Freedoms of 22 November 1984, which in its article 5 lays down that spouses enjoy equal rights and responsibilities under civil law with regard to marriage, during the marriage and at its dissolution. This Protocol was ratified by France on 17 February 1986.

59. In addition, with regard to fiscal law, the 1983 Finance Law ended disparity of treatment between men and women by granting equal rights to spouses with regard to income tax. The new provision addresses a number of points, in particular the following:

- The total income declaration of the couple must in future be signed by both spouses;

- The procedures in connection with taxes due on the total family income may be initiated by either spouse;

- The notion of head of the family is eliminated.

Women's image

60. Recommendations have been made for protecting women's image on television and in advertising. These take the form, for example, of television specifications or of advertising guidelines (recommendation of the Advertising Monitoring Office (BVP) of September 1983 and provisions contained in the Channel 2 specifications).

Other information

The report presented by France on the occasion of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women (Nairobi, 15-26 July 1985) is annexed to the present report (annex VII).

It may be added that, at the beginning of 1985, the Government transmitted to the Centre for Social Development and Humanitarian Affairs in Vienna its replies to the United Nations questionnaire to review and appraise the achievements of the United Nations Decade for Women in the context of the World Conference.